Harry C. Muck, a witness of lawful age, the Plaintiff in this case and testifying in his own behalf, having first lawfully affirmed, deposes and says;

My name is Harry C.Muck, and I live near Waynesboro, in Pennsylvania, and I am 33 years of age. I know all the parties to this suit. My wife's name is Vannie E.Muck and we are the Plaintiffs. The Defendants are Susan R.Easterday, my mather, who is now married to Lewis Easterday, both adults, residing near Myersville, Varyland, Russell M.Palmer and Calmeda Palmer, his wife, both adults, residing near Waynesboro, in Pennsylvania; and Mildred L.Palmer, an infant, aged 11 or 12 years, who is making her home with me and has been with me nearly ever since the death of her mother. Maudie Palmer.

My father's name was Charles William Muck, who died in January 3d, 1892, ontestate, and left surviving him his widow, the said Susan P. Easterday, and two children, myself and the said Maudie Palmer. The said Maudie Palmer departed this life, intestate, on February 17th, 1912, and left surviving her her husband, the said Russell M. Palmer, who has since married again, and one child, the said Mildred L. Palmer.

By the Will of the late Lewis Cline, of Frederick County, Maryland, who departed this life about the first of the year 1901, the real estate mentioned in these proceedings was given and devised to Mary Ellen Waldeck during her natural life and after her death to her son, Charles William Muck, his heirs and assigns, as appears from certified copy of the Will filed in this proceeding and marked "Exhibit Will".

I look at deed filed in this case and marked "Exhibit Deed". now shown me and it describes the Ambrosius property mentioned in said Will. This property contains about 32 Acres and is on the road leading from Ellerton to Harmony. There is one set of buildings such as usually found on a small farm, in fairly good state of repair. The land is divided into fields of convenient size and used for general farming and trucking purposes. I do think it would be possible to divide the land amongst the parties entitled, without material loss and injury, as it is improved and fenced for a single farming operation. The Mrs. Waldeck mentioned in the said last will and testament of the said Lewis Cline was the mother of my father. Charles William Muck, and she departed this life in March, 1923.

To the General Interrogatory.

Nothing that I know of.

## Harry C. Muck.

Melving F. Shepley, a withness of lawful age, produced on the part of the Plaintiffs, being first duly sworn, deposes and says;

My name is Melvin F. Shepley, I am 51 years of age and reside at Myersville, Frederick County, Maryland. I knew the late Mary Ellen Waldeck, living near Myersville, and have known her procatally all my life. She departed this life about the month of March, 1923 She had a son named Charles William Muck, who died a long time ago, and I assume that the date given as 1892 is about correct. He left surviving him two children, Harry Muck and Maudie Muck. Harry Muck is now living at Waynesboro, Pennsylvania, and Maudie Muck married a man by the name of Russell Palmer and died 10 Or 11 years ago, living her hus band and one child, who is an infant, under the age of 21 years.

I know the late Lewis Cline, who died about 20 years ago.

I know the property mentioned in these proceedings, containing about 32 acres and situated along the road from Johnson's Mill to Harmony. This farm is located East of Myersville. It is improved with a set of buildings usual to a small farm, in a fair state of repair. This property could not be civided amongst the parties having interest therein, without material loss and injury, as it is suited for just one small farming operation. I believe that \$1800.00 would be a fair price for this property.

To the General Interrogatory;

Nothing further.

Melvin F. Shepley.